

Appendix 1-1

Current Missions, Future Missions and Cross-Agency Relationships

NOAA's mission is, "to describe and predict changes in the Earth's environment, and conserve and manage wisely the Nation's coastal and marine resources to ensure sustainable economic opportunities." (1995 Strategic Plan.) This mission is founded on legislative mandates, authorizations, and appropriations. However, many employee comments indicated a lack of clarity or focus in NOAA's missions. Both the employees and PRT members suggested that NOAA should improve the way it sets priorities and allocates resources.

Admiral Lautenbacher's three questions to the employees asked if NOAA is properly organized to achieve our current and future missions, properly allocating its resources to meet mission requirements, and being as efficient as possible in executing its missions. These questions cannot be answered without corporate consensus on core missions and core competencies. NOAA needs to decide *what* it should be doing before it can figure out *how* best to do it.

Some of the employee concerns included:

- NOAA's mission of being a national and international leader in environmental monitoring, assessment, prediction and stewardship is the right mission. However, some of NOAA's activities and programs are not optimally aligned with this mission.
- NOAA does not do a particularly good job at setting priorities among its missions. NOAA should avoid "mission creep" and not undertake activities that are not tied to agency priorities, or initiate new programs at the expense of core missions.
- NOAA needs to work closely with other agencies to maximize coordination and minimize unnecessary overlap. Examples include EPA, Interior, NSF, and U.S. Navy. NOAA should consider transferring programs that are not unique to NOAA and which may be better performed by other agencies. If joint responsibility is retained, then explicit collaboration with other agencies must be established through appropriate agreements.
- NOAA needs to undertake a thorough review of its activities and decide what should be outsourced to the private sector. Activities that remain government responsibilities should be evaluated in accordance with the FAIR Act.

The PRT recommended that NOAA maintain an accurate, detailed inventory of all legislation and mandates that require or authorize activities by the agency, thus forming the core of NOAA's missions. By helping to define NOAA's missions, this inventory would allow the agency to better develop its priorities and program requirements. An inventory of NOAA's authorities and mandates is included as Appendix 1-2. In response to the PRT recommendation, the NOAA Office of the General Counsel has undertaken the task of analyzing the inventory of legislation and mandates to ensure completeness and to compare it with NOAA's list of core missions.

The PRT also recommended that NOAA refine its core missions and develop a picture of its future missions through interactions with its constituents, partners, and stakeholders. A clear understanding of NOAA's core missions and competencies linked to agreed-upon strategic goals and results-based objectives would serve as a solid foundation for building and implementing agency requirements, plans, and strategic partnerships.

As stated in the President's Management Agenda,

The President has called for a government that is active but limited, that focuses on priorities and does them well. The most difficult, but most important, job of a good leader is to ask questions about the institution: Is this program needed? Is it a wise use of the organization's finite resources? Could those resources be better used elsewhere?

President's Management Agenda

NOAA'S Current Core Missions—PRT Assessment

The PRT discussed NOAA's current missions and developed the following description:

NOAA's overall mission is to describe and predict changes in the Earth's environment, and to conserve and manage wisely the Nation's coastal and marine resources to ensure sustainable economic opportunities.

In support of this mission, NOAA performs the following key activities:

- Acquisition, analysis, and dissemination of atmospheric, solar-terrestrial, coastal, and marine data (to be used by local, national, and international communities for improved products and services)
- Provision of information (including atmospheric, climate, coastal, marine, and living marine resources advisories, warnings, and forecasts)
- Marine environmental conservation and management
- Navigation services

Line Office and Staff Office Activities

The following, offered as background material, are major categories of line office activities:

National Ocean Service

- Acquisition of data
 - Navigation services (mapping and charting, geodesy, tides and current data)
 - Ocean and coastal management (CZM, NERR, NMS, NEPA Implementation)
-

- Ocean resources conservation and assessment (response and restoration; ocean assessment).
- Coastal outreach and education
- Research support for NOAA coastal management

National Marine Fisheries Service

- Acquisition of data
- Information collection, analyses, and dissemination (social and economic data, fish statistics, fishery abundance prediction)
- Living marine resources/protected resources conservation and management operations (fishery management plans/councils, NEPA Implementation, protected species management, habitat conservation, enforcement and surveillance)
- Research to support prediction of long-term environmental factors that affect fish stocks

Office of Oceanic and Atmospheric Research

- Exploratory and directed research in atmospheric climate, oceanic, and related sciences in support of NOAA's mission
- Ocean, coastal, and Great Lakes programs (research, technology, educational and advisory services, i.e., ocean exploration, aquatic nuisance species, aquaculture, monitoring changes in the ocean environment)

National Weather Service

- Provides weather, hydrologic, and climate forecasts and warnings for
 - the protection of life and property
 - enhancement of the national economy
- NWS data and products form a national information database and infrastructure which can be used by:
 - other governmental agencies
 - private sector
 - the public
 - global community

National Environmental Satellite, Data, and Information Service (NESDIS)

- Provides global environmental data from satellites and other sources
- Provides information services including earth system monitoring and performing assessments of the environment

In support of its mission, NESDIS acquires and manages the Nation's civil operational environmental satellites and operates the NOAA National Data Centers.

Other Integrative Line Office and/or Staff Office Activities

- Contribute to the mission of the U.S. Department of Commerce (of which NOAA is the largest component), whose Mission Statement (1995) states that the Department “promotes job creation and improved living standards for all Americans by creating an infrastructure that promotes economic growth, technological competitiveness, and sustainable development.”
- Participate in federal interagency and public-private and nonprofit partnerships and collaborations on public policy issues related to the explicit missions listed above (e.g., Office of Science and Technology Policy, Council on Environmental Quality)
- Participate as a U.S. Government entity in international negotiations and initiatives related to public policy issues related to the explicit missions listed above (e.g., World Meteorological Organization, United Nations Environment Programme, International Whaling Commission) to further NOAA and the U.S. Government's science and technology and environmental policy priorities as articulated by the White House, State Department, and Congress.

- Protect national security by enhancing emergency response capabilities and improving internal safety and preparedness

NOAA's Future Missions

NOAA should consider its core competencies when determining its highest priority missions, today and into the future. In its 1998 *Recommendations for the Future of the National Oceanic and Atmospheric Administration*, the National Association of State Universities and Land Grant Colleges' primary recommendation was that "NOAA should review all of its activities, identifying those that are unique, where it has the greatest competence, and where it has a clear statutory charge. Activities that do not pass the test of uniqueness, competency, and statutory charge should be transferred to other government agencies, or downsized and ultimately eliminated, or phased over to the private sector."

PRT Examples of NOAA Core Competencies (What NOAA does really well):

- Collection, maintenance, and analysis of global-scale environmental data sets, such as hydrographic/bathymetric data, weather/climate data, oceanographic and marine resources assessment data.
- Full and open data sharing with other national and international partners.
- Prediction and forecasting of weather, climate, tides, fish stocks, and other environmental events.
- Advanced use of supercomputers and other advanced technologies in atmospheric, oceanic, climate, and fisheries research.
- Development and dissemination of key environmental information to the public in the form of high quality products, such as nautical and aeronautical charts; hurricane, tsunami, and weather forecasts; and fisheries and marine mammal stock assessments.
- Management of living marine resources, including marine sanctuaries, marine fisheries, marine protected areas, marine habitat, marine mammals, and threatened and endangered species.

Cross-Agency Relationships

Each year, NOAA conducts approximately \$218 million in reimbursable work on behalf of other agencies and organizations. While this work often represents NOAA using its expertise to address national issues, it has at times made it difficult to remain focused on core missions. In addition, reliance on outside funding sources to maintain facilities and permanent personnel can create a significant management problem when these reimbursable agreements are reduced or terminated. For example, the Environmental Technology Laboratory and the Aircraft Operations Center were challenged when outside funding disappeared.

References

1. President's Management Agenda
2. National Association of State Universities and Land-Grant Colleges. 1998. *Recommendations for the Future of the National Oceanic and Atmospheric Administration*. A White Paper of the Board on Oceans and Atmosphere.

Appendix 1-2

Inventory of NOAA Legislation and Mandates

NOAA Authorities

All statutory authorities applicable to NOAA have been collected and listed below. The statutes are named, cited, and then categorized as: 1) a mandatory authority—“NOAA shall ...”, 2) an authorization—“NOAA is authorized to ...”, or 3) a statute of general applicability with which NOAA must comply. Many statutory authorities apply to several components of NOAA, often in different ways, so categorizations are often perceived differently. This compilation does not include any double listings in spite of the overlapping applications of many authorities.

Background

Reorganization Plan No. 4 of 1970

15 U.S.C. § 1511 note

This Act created NOAA as an operational unit within the Department of Commerce and transferred to it from other executive agencies various functions authorized by various statutes. Functions transferred included Great Lakes responsibilities (fisheries, snow, ice and water research, and charting); the Sea Grant College Program, functions vested in the Marine Minerals Technology Center of the Bureau of Mines and in portions of the Environmental Science Service Administration (e.g., now, National Weather Service, National Ocean Survey, National Environmental Satellite Center and research laboratories), including related international authorities.

Statutes

Mandatory Authorities¹

Weather Service Organic Act

15 U.S.C. § 313 *et seq.*

The Secretary shall have charge of forecasting weather and issuing storm warnings for the protection of life and property and the enhancement of the Nation's economy. The Secretary shall monitor and record climatic conditions.

¹ Drawing a clear distinction between Mandatory and Authorizing statutes is problematic in many cases. Some statutes have both mandatory and permissive language. Others have language that is permissive, but legislative history and past experience indicate that the Congressional intent was to make the laws' provisions (or at least some of the provisions) mandatory. Examples include:

National Marine Sanctuaries Act

16 U.S.C. § 1431 *et seq.*

The statute's language is permissive with regard to establishment of Marine Sanctuaries: 16 U.S.C. § 1433 states that “[t]he Secretary may designate any discrete area of the marine environment as a national marine sanctuary...” The Secretary is not required to create any marine sanctuary under this Act (although certain Sanctuaries have been specifically designated by Congress). However, other portions of the Act are mandatory. For example, Section 1437, the enforcement provision of the Act, states “[t]he Secretary shall conduct such enforcement activities as are necessary and reasonable to carry out this chapter.”

Coast and Geodetic Survey Act

3 U.S.C. §§ 883a *et seq.*

The language of the Act is permissive, stating that “the Director of the Coast and Geodetic Survey [Secretary of Commerce] is authorized” to conduct various surveying, analysis, processing and charting activities. But the statute, passed in 1947, stated as its purpose “To define the functions and duties of the Coast and Geodetic Survey, and for other purposes.” And the nature of the functions and duties (examples include mapping of coastal areas; observance, analysis and prediction of tide and current data; serving as a central depository of the U.S. Government for geomagnetic data) indicates these activities are more than discretionary.

Weather Service Modernization Act	15 U.S.C. § 313 note
<p>Authorizes Ten-year Strategic Plan for Comprehensive NWS Modernization.</p> <p>Establishes the Hurricane Reconnaissance Program and the Tropical Cyclone Research Advisory Committee.</p> <p>Requires Congressional Approval Prior to Sale, Lease, Transfer, or Dismantling of NWS. and/or the Nation's civil operational remote sensing satellites (METSAT and LANDSAT)</p> <p>Authorizes NOAA to purchase Atmospheric Wind Data.</p> <p>Authorizes NOAA to provide agricultural and silvicultural weather services to Federal, State & Private efforts.</p>	
Cooperative Agreements/Reimbursement to further NOAA's Mission	15 U.S.C. §§ 1525, 1540
<p>Authorizes Cooperative Agreements to:</p> <p>(1) Promote/Foster Public Understanding of NOAA's Mission</p> <p>(2) Solicit Public Funds in furtherance of No. 1 above</p>	
National Climate Program Act	15 U.S.C. § 2901 <i>et seq.</i>
<p>Requires the establishment of a National Climate Program Office within the Department of Commerce to study Climate Change.</p>	
Global Change Research Act	15 U.S.C. § 2921 <i>et seq.</i>
<p>Establishes a comprehensive and integrated U.S. research program aimed at understanding climate variability and its predictability.</p>	
Falsifying Weather Reports (Criminal Statute)	18 U.S.C. § 2074
<p>Requires criminal penalties for False Weather Reports</p>	
Provision of Data for Marine Commerce	33 U.S.C. § 883j
<p>Requires NOAA Administrator to take action, including the sponsorship of applied research, to assure the future availability and usefulness of ocean satellite data to the maritime community.</p>	
Reimbursement for Weather Reporting Services	49 U.S.C. § 48105
<p>Authorizes Secretary of Transportation to reimburse Secretary of Commerce for meteorological services provided in support of aviation. Meteorological Services to Support Aviation, 49 U.S.C. § 44720.</p>	
Flood Control/River Forecasting Authority	33 U.S.C. § 706
<p>Authorizes agency expenditures in support of flood control, rivers and harbors and for the establishment, operation, and maintenance by the NWS of the Hydroclimatic Network</p>	
Funding Authorization for acquiring, constructing, maintenance, and operation of ships, stations equipment, and facilities	33 U.S.C. § 883i
<p>Authorizes appropriation of funds as may be necessary to acquire, construct, maintain and operate ships, stations, equipment, and facilities.</p>	
National Acid Precipitation Program Act	42 U.S.C. § 8901 <i>et seq.</i>
<p>Authorizes establishment of a comprehensive ten-year program to carry out research activities involving acid precipitation resulting from other than natural sources and authorizes implementation of this Program under the formation of the Acid Precipitation Task Force; also authorizes the NOAA Administrator to serve as the director of the research program.</p>	

NESDIS User Fee Authority (Special Line Office Authority)

15 U.S.C. § 1534

Authorizes the Secretary to assess fees for access to environmental data and information and products derived therefrom.

Land Remote Sensing Policy Act of 1992

15 U.S.C. § 5601 *et seq.*

Authorizes the Secretary to license private (commercial) remote sensing satellite space systems

Commercial Space Act of 1998

Pub. L. 105-303

The Act promotes economic development of Earth orbital space, in part through operation and use of the International Space Station. As part of this larger goal, the Act seeks to develop a robust satellite and launch industry, calling upon the Secretary of Defense, in consultation with the Secretary of Commerce, to identify: a) investment opportunities for non-Federal entities interested in assisting the government in providing launch capabilities for the commercial space industry; and b) technical, structural and legal impediments to making launch sites viable and competitive.

National Sea Grant College Program Act

33 U.S.C. § 1121 *et seq.*

The Secretary shall establish a National Sea Grant College Program, which among other things may issue grants or contracts in support of solving coastal problems and developing marine resources.

Great Lakes Environmental Research Laboratory

33 U.S.C. § 1268

Establishes Research Office to research and monitor activities which address priority issues and current needs relating to the Great Lakes.

Meteorological Services to Support Aviation

49 U.S.C. § 44720

Requires the Secretary to cooperate with the FAA in providing meteorological services necessary for the safe and efficient movement of aircraft in air commerce. Requires the Secretary to observe and study atmospheric phenomena, and maintain meteorological stations and offices; provide reports that will facilitate safety in air navigation; cooperate with those engaged in air commerce in meteorological services; maintain and coordinate international exchanges of meteorological information; participate in developing an international basic meteorological reporting network; coordinate meteorological requirements in the U.S. to maintain standards and promote safety and efficiency of air navigation; and promote and develop meteorological science, including support for research projects in meteorology.

Harmful Algal Bloom and Hypoxia Research and Control Act of 1998

33 U.S.C. § 1121 *et seq.*

Directs the President to establish an Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia, with the Secretary of Commerce as the Chairman. Charges the Task Force to submit to Congress an assessments of the ecological and economic consequences of harmful algal blooms and hypoxia.

Coastal Ocean Program

Section 201(c) of Pub. L. 102-567

Authorizes funds to conduct a Coastal Ocean Program. Augments and integrates existing NOAA programs and to include efforts to improve predictions of fish stocks, to better conserve and manage living marine resources, to improve predictions of coastal ocean pollution to help correct and prevent degradation of the ocean environment, to promote development of ocean technology to support the effort of science to understand and characterize the role oceans play in global climate and environmental analysis, and to improve predictions of coastal hazards to protect human life and personal property.

Magnuson-Stevens Fishery Conservation and Management Act	16 U.S.C. §§ 1801-1882
Under the Act, the United States claims sovereign rights and exclusive fishery management authority over all fish, and all Continental Shelf fishery resources within the exclusive economic zone. Established a procedure for authorizing foreign fishing, and prohibited unauthorized foreign fishing. Fishery management plans describe the fisheries and contain necessary and appropriate conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States.	
Fish and Seafood Promotion Act	16 U.S.C. §§ 4003-4017
Establishment of seafood councils, marketing and promotion plans, quality standards.	
Fur Seal Act Amendments of 1983	16 U.S.C. §§ 1151-1175
The Fur Seal Act Amendments prohibit the taking of fur seals in the North Pacific Ocean, except as provided by the Act. Indians, Aleuts and Eskimos who dwell on the North Pacific Ocean may take fur seals for subsistence purposes. The Secretary of Commerce is responsible for regulating the taking of fur seals. The Amendments authorize a North Pacific Fur Seal Commission.	
Sponge Act	16 U.S.C. §§ 781-78 (Not active)
Prohibits the taking of undersized sponges off Florida. NOAA must enforce.	
Dolphin Protection Consumer Information Act	16 U.S.C. § 1385
Commerce administers, but must consult with other agencies.	
Marine Mammal Protection Act of 1972	16 U.S.C. §§ 1361-1407
Commerce/Interior species split (mostly Commerce). Secretary of Commerce responsible for ensuring protection of cetaceans and pinnipeds and certain related international activities.	
Endangered Species Act of 1973	16 U.S.C. §§ 1531-1543
The ESA protects species of plants and animals listed as threatened or endangered. The Secretary of the Interior and the Secretary of Commerce determine, through regulations, whether any species are endangered or threatened. The Secretaries also are required to designate critical habitat and develop and implement recovery plans for threatened and endangered species. Federal agencies must insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of critical habitat.	
Fishermen's Protective Act (Pelly Amendment)	22 U.S.C. § 1978
Requires the Secretary of Commerce to certify to the President if foreign nationals are conducting fishing operations that "diminish the effectiveness" of an international fishery conservation program, and, if the certification related to the requirements of the ICRW, economic sanctions were mandatory under the Packwood Amendment of 1979, 16 U.S.C. § 1821(e)(2).	
Columbia Basin Fishery Development Act (Mitchell Act)	16 U.S.C. §§ 755-757
Secretary of Commerce is directed to establish salmon cultural stations in the Columbia River Basin, and may utilize the facilities and services of State agencies.	
Atlantic Coastal Fisheries Management Act of 1993	16 U.S.C. § 5101
Important in context of cooperative management of Atlantic coastal fisheries—allows Federal preemption.	

Atlantic Striped Bass Conservation Act	16 U.S.C. § 5151
Limited geographical scope (applies only in Chesapeake region). Allows Secretary to declare a moratorium for fishing for striped bass if coastal states do implement plan.	
Lacey Act Amendments of 1981	16 U.S.C. §§ 3371-3378
Prohibits trafficking and possession of any fish and wildlife taken in violation of any domestic or foreign law.	
Anadromous Fish Conservation Act	16 U.S.C. §§ 757a-757g
Commerce is to make recommendations to the Secretary of Health and Human Services concerning the elimination of polluting substances that are detrimental to fish.	
Estuaries and Clean Waters Act of 2000	33 U.S.C. § 2901
Statute creates the Estuary Habitat Restoration Council that includes NOAA. NOAA charged with development and maintenance of a database and developing standard data formats for monitoring projects.	
Water Resources Planning Act	42 U.S.C. §§1962–1962d-14
NOAA has a seat on the Water Resources Council.	
New England Fishery Resources Restoration Act of 1990	16 U.S.C. § 777e-1
Fish and Wildlife Service has primary responsibility in consultation with NOAA to formulate plans to maintain and restore important interjurisdictional New England Fisheries. Not clear whether there is ongoing responsibility after submission of report.	
National Fishing Enhancement Act of 1984 (artificial reefs)	33 U.S.C. § 2101 <i>et seq.</i>
Secretary of Commerce was required to produce a report, but the program is administered through Army Corps of Engineers.	
Coastal Wetlands Planning, Protection, and Restoration Act	16 U.S.C. §§ 3951-3956
Statute deals mainly with coastal wetlands planning in Louisiana, but also contains provisions for national grants for coastal wetlands planning.	
Estuarine Areas Act	16 U.S.C. §§ 1221-1226
Interior in consultation with states, Army, and other federal agencies is charged with the responsibility of studying the nation's estuaries. This is to be carried out in conjunction with the comprehensive estuarine pollution study authorized by the Clean Water Act.	
Atlantic Tunas Convention Act of 1975	16 U.S.C. §§ 971-971i
Provides authorities and requirements for ICCAT species.	
Anadromous fish products, Certificates of legal origin for	16 U.S.C. § 1822 note
State: shall initiate negotiations with foreign countries to require fish tracking. Commerce: shall promulgate regs to provide certificates of origin shall certify bad countries under Pelly in consultation with Treasury, shall submit a report	
Eastern Pacific Tuna Licensing Act of 1984	16 U.S.C. §§ 972-972h
Prohibitions on fishing and trade in certain tunas unless licensed pursuant to international agreement. Allows appointment of US to international body, allows Commerce to implement agreements through regulations. Allows application of Pelly.	

South Pacific Tuna Act of 1988	16 U.S.C. §§ 973-973r
Provides regulatory authority and prohibitions to implement 1987 treaty governing fishing for tuna in the Southern Pacific, signed in Papua New Guinea.	
Tuna Conventions Act of 1950	16 U.S.C. §§ 951-961
Implements treaty and establishes Inter-American Tropical Tuna Commission.	
Driftnet Impact Monitoring, Assessment and Control Act	16 U.S.C. § 1822 note
Required monitoring and a reports to Congress whenever appropriate—applies Pelly authorities.	
Northern Pacific Halibut Act of 1982	16 U.S.C. §§ 773-773k
Allows appointment of commissioners to international commission. Allows North Pacific Fishery Management Council to recommend management measures for North Pacific Halibut. The basis for regulation of that fishery. The Secretary of Commerce has general authority to carry out the Halibut Convention and shall adopt necessary regulations. One Commissioner on the Commission shall be an official of NOAA.	
Atlantic Salmon Convention Act of 1982	16 U.S.C. §§ 3601-3608
Provides for appointment of commissioners to Salmon Conservation Organization. Prohibits fishing for salmon in the North Atlantic beyond the territorial sea (12 miles).	
Pacific Salmon Treaty Act of 1985	16 U.S.C. §§ 3631-3644
The Pacific Salmon Treaty Act implements the Pacific Salmon Treaty with Canada regarding management of the shared salmon resource. The Secretary of Commerce must prepare statements and reports required by the treaty, shall promulgate regulations necessary to carry out international obligations under the Treaty and this statute, and shall enforce the statute. The Secretary of Commerce shall also appoint certain members of US/Canadian Panels.	
Commerce, State, Justice Appropriations Act (shrimp embargo)	Pub. L. 101-162
Encourages international cooperation. Also, prohibits the import of shrimp from countries that take turtles unless certified by the Sec. of State, pursuant to Pres. Mem. of Dec. 19, 1990.)	
Shark Finning Prohibition Act	Act Dec. 21, 2000
Report to Congress, negotiate international agreements.	
High Seas Fishing Vessel Compliance Act of 1995	16 U.S.C. § 5501
Secretary of Commerce permits vessels of the U.S. fishing on the high seas. Vessels permitted to fish on high seas must comply with all of the relevant U.S. treaty obligations.	
Whaling Convention Act	16 U.S.C. § 916
U.S. Commissioner to the IWC is appointed by the President on concurrent recommendations by the Secretary of State and the Secretary of Commerce. Secretary of State, with the concurrence of the Secretary of Commerce, may make or withdraw objections to IWC. Commerce promulgates regulations pursuant to this act and grants licenses.	
Whale Conservation & Protection Study Act	16 U.S.C. § 917
Commerce, in consultation with Marine Mammal Commission and the coastal states, is charged with studying all whales in the jurisdiction of the United States and in fishery conservation zones. Commerce through the Secretary of State is to initiate negotiations to develop bilateral agreements with Mexico and Canada for the protection of whales.	

American Fisheries Act

Pub. L. 105-277, Div. C, Title II, Subtitle II,
Oct. 21, 1998, 112 Stat. § 2681

Enacted in 1998, the AFA: a) ensures that domestic interests enjoy priority in harvesting U.S. fishery resources by limited foreign ownership in U.S.-flagged vessels to no more than 25%; and b) substantially reorganizes the Bering Sea Aleutian Islands (BSAI) pollock fishery.

Agricultural Marketing Act of 1946

7 U.S.C. §§ 1621-1627

Secretary of Commerce is directed to develop or assist in the marketing of agricultural fish products.

Cooperative fisheries associations

15 U.S.C. §§ 521-522

Secretary of Commerce must serve a complaint and notice of hearing upon any fishing association created under 15 U.S.C. § 521 if the Secretary believes that the association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any aquatic product is thereby unduly enhanced.

Saltonstall-Kennedy Act

15 U.S.C. § 713c-3

Requires the Secretary of Commerce to make grants from a fund established under this section to persons carrying out research and development projects addressed to any aspect of United States fisheries. If the grants made under this section are inadequate, the Secretary shall carry out a national program of research and development addressed to the aspects of United States fisheries that are not covered by projects receiving grants. The Secretary is obligated to make an annual report with respect to projects receiving grants.

Fishing Vessel and Gear Compensation Fund

22 U.S.C. § 1980

Creates a Fishing Vessel and Gear Damage Compensation Fund to pay for damage, loss or destruction to a foreign fishing vessel or gear of such vessel, when it is caused by another vessel, and occurs while the vessel is fishing in any fishery subject to the exclusive fishery management authority of the U.S. under the Magnuson Act.

Fishermen's Contingency Fund

43 U.S.C. §§ 1841-46

Establishes a Fishermen's Contingency Fund to pay for damage to commercial fishing vessels and gear as a result of the development, processing and distribution of oil and gas resources from the Outer Continental Shelf. The Secretary of Commerce is required to prescribe and periodically amend regulations for the filing, processing, and expeditious settlement of claims. The Secretary is also required to identify and classify all potential hazards to commercial fishing caused by Outer Continental Shelf oil and gas exploration, development, and production.

Capital construction funds under the Merchant Marine Act of 1936

46 U.S.C. App. 1177

Requires the Secretary of Commerce to enter into agreements with U.S. Citizens to establish a capital construction fund for the purpose of purchasing replacement vessels, additional vessels, or reconstructed vessels that are built in the United States for the operation in U.S. fisheries. Money deposited into a capital construction fund is deducted from taxable income.

Fisheries loan obligation guarantees under the Merchant Marine Act of 1936

46 U.S.C. App. 1271 *et seq.*

Creates a Federal Ship Financing Fund in the amount of \$1,000,000, which must be used by the Secretary of Commerce to issue loan guarantees for the construction, reconstruction, or reconditioning of a fishing vessel.

Fish and Wildlife Conservation Act of 198016 U.S.C. § 2908 *et seq.*

The FWCA provides technical and financial assistance to States, in order to assist them in the development of conservation plans and programs that protect non-game species. Though principally administered by the Department of Interior, the FWCA “encourages” all Federal departments to use their statutory and administrative authority to conserve and promote conservation of non-game fish and wildlife, and authorizes all Federal agencies to provide assistance to States which seek to develop or revise conservation plans (i.e., loaning personnel or equipment, sharing scientific or other types of information).

Federal Power Act16 U.S.C. 791a *et seq.*

The Federal Power Commission must require construction of “fishways” in proposed dams as directed by DOI or DOC. (16 U.S.C. § 811).

North Pacific Anadromous Stocks Convention Act

16 U.S.C. § 5001.

Created a commission and advisory panel of State and Federal officials knowledgeable of North Pacific Anadromous fish stocks. The Secretary of Commerce is responsible for administering provisions of the Convention, the Act, and any regulations issued thereunder. The Secretaries of Commerce and Transportation are both responsible for enforcing the provisions of the Act.

Northwest Atlantic Fisheries Convention Act16 U.S.C. § 5601 *et seq.*

Directs the Secretary of Commerce to appoint 3 Commissioners to the NW Atlantic Fisheries Organization. Secretary of Commerce is responsible for promulgating regulations as necessary to carry out the Convention and Act. The Secretaries of Commerce and Transportation are both responsible for enforcing the provisions of the Act. The Secretary of Commerce must make an annual report to congress of the activities of the Commission, Councils, and Consultative Committee discussed in the Act. The Secretary of Commerce is required to seek to establish a new practice for allocating quotas under the Convention

Antarctic Marine Living Resources Convention Act16 U.S.C. §§ 2431 *et seq.*

Implements the Convention on the Conservation of Antarctic Marine Living Resources. The Secretary of Commerce is responsible for promulgating regulations to implement and enforce.

Antarctic Protection Act of 199016 U.S.C. § 2461 *et seq.*

Prohibits U.S. citizens prospecting, exploring, and developing any Antarctic mineral resources; providing financing for; or otherwise knowingly assisting in any of these activities. Scientific research is excluded from the definition of mineral resource activity in the Act. NOAA is responsible for enforcing.

Coral Reef Conservation Act

(Pub. L. 106-562)

Requires the Secretary of Commerce to establish a coral reef grant program for state and local governments.

Estuary Habitat Restoration and Partnership Act

(Pub. L. 106-457)

Requires NOAA to maintain an information database on estuary habitat restoration projects funded under the Act.

Coastal Zone Management Act*

(Pub. L. 104-150)

Authorizes a Federal program of financial and technical assistance to coastal states and local governments for the purpose of managing the use and development of coastal areas of the various coastal States. Authorizes the Secretary of Commerce to make grants to coastal States for administering Federally-approved coastal zone management programs. Such programs

may address: redevelopment of deteriorating and underutilized urban waterfronts and ports and the provision of access of public beaches; nonpoint pollution control; estuarine research; offshore energy development; facilities and services required as a result of Outer Continental Shelf energy activity; and developing and administering coordinated coastal zone planning as well as certain related international activities.

National Marine Sanctuaries Act (Pub. L. 106-513)

Authorizes the Secretary of Commerce to designate as national marine sanctuaries those areas of the marine environment that are deemed of national significance due to their conservation, recreational, ecological or esthetic values. Currently, 13 sanctuaries have been designated. Directs the Secretary to conduct research and educational programs regarding the resources of the sanctuaries and enhancement of public awareness, understanding and wise use of the marine environment.

Florida Keys National Marine Sanctuary and Protection Act 16 U.S.C. § 1433 note

Oceans Act of 1992 (Pub. L. 102-587)

Oceans Act of 2000 (Pub. L. 106-256)

This Act establishes a commission to make recommendations for a coordinated and comprehensive national ocean policy. Members of the Commission are appointed by the President (from lists provided by Congress).

Within 18 months of the establishment of the Commission, the Commission is required to submit to Congress and the President a final report of its findings and recommendations regarding U.S. ocean policy. The President is required to submit to Congress a statement of proposals to implement or respond to the Commission's recommendations.

Deepwater Port Act of 1974 33 U.S.C. § 1501 *et seq.*

The Act creates the regulatory regime of deepwater ports in waters beyond the territorial limits of the U.S. The Act provides for the protection of the marine and coastal environments and the rights and responsibilities of states and local communities. Deepwater ports are non-vessel, fixed or floating manmade structures that are used as a port or terminal for the loading, unloading, or handling of oil for transportation to a state. The Secretary of Transportation issues deepwater port permits; however, NOAA advises the DOT on the environmental review criteria for deepwater port applications, the site evaluation and preconstruction testing at potential locations, and the designation of "adjacent coastal state" status.

National Marine Sanctuary Preservation Act of 1996 (Pub. L. 104-283)

Reauthorized the NMSA; directed the Secretary to prepare a plan to preserve the USS Monitor; directed the Secretary to examine whether inclusion of Kahoolawe Island waters into the HIHWNMS would be appropriate; disallows the Secretary from implementing a user fee in the HIHWNMS; directed the Secretary to modify the boundary of the Flower Gardens NMS by including Stetson Bank; disallows the Secretary from designating the Northwest Straits in Washington State a Sanctuary without an act of congress; required the renaming of the Stellwagen Bank NMS to the Gerry E. Studds Stellwagen Bank NMS.

Pub. L. 99-272 (Nautical and Aeronautical Products) 44 U.S.C. § 1307

Authorizes the Secretary of Commerce to set prices for and sell nautical and aeronautical products created by NOAA. Sec. 1309 (Commerce Department: navigation and weather information), authorizes the Secretary of Commerce to print copies of charts, weather maps,

tide tables, and other navigational or weather related publications, of not more than one hundred octavo pages, that he considers for the best interest of the Government.

Estuary Habitat Restoration Partnership Act of 2000

(Pub. L. 106-457)

Promotes the restoration of estuary habitat. Army Corps of Engineers is the lead agency, but must select projects from those recommended by the “Estuary Habitat Restoration Council”, of which NOAA is a member.

Clean Water Act (CWA)

33 U.S.C. § 1251 *et seq.*

The CWA is the principal law governing pollution control and water quality of the nation’s waterways. Section 404 of the law authorizes a permit program for the disposal of dredged or fill material into navigable waters.

The CWA is the principal law governing pollution control and water quality of the nation’s waterways. Section 404 of the law authorizes a permit program for the disposal of dredged or fill material into navigable waters. The Army Corps of Engineers (Corps) administers the program. In general, restoration projects, which move significant amounts of material into or out of waters or wetlands — for example, hydrologic restoration of marshes — require 404 permits. Under section 401 of the CWA, restoration projects that involve discharge or fill to wetlands or navigable waters must obtain certification of compliance with state water quality standards.

Coastal Monitoring Act

33 U.S.C. § 2801 *et seq.*

The National Coastal Monitoring Act, also known as title V of the Marine Protection, Research, and Sanctuaries Act of 1972, provides joint authority for the Environmental Protection Agency and the National Oceanic and Atmospheric Administration to establish a comprehensive national program for consistent monitoring of the nation’s coastal ecosystems.

Pribilof Islands Transition Act

(Pub. L. 106-552)

The Act authorizes \$28 million over five years (FY ‘01-05) to attempt to achieve the orderly withdrawal of NOAA from the islands’ civil administration, plus up to \$10 million over five years for grants to the State of Alaska for construction of new landfills. It also authorizes \$10 million a year for five years for NOAA to complete its environmental cleanup and landfill closure obligations prior to final transfer of jurisdiction to six local entities. NOAA owns a substantial portion of the property on the islands and, under existing agreements, will transfer control of virtually all that land to local governments in the next few years.

Hydrographic Services Improvement Act*

(Pub. L. 106-383 and Pub. L. 106-384)

The Act authorizes appropriations for Fiscal Years 1999-2001 for nautical mapping and charting, hydrographic surveys, and NOAA geodetic functions. The Act also authorizes funds to carry out tide and water current measurement functions, including the implementation and authorization of a national quality control system for real-time tide and water current network. The Act also provides authority for NOAA to contract with the private sector for support in performing surveys and other functions.

Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA)*

42 U.S.C. § 9601 *et seq.*

CERCLA (or Superfund) addresses the cleanup of hazardous waste sites. Under CERCLA, federal and state governments are directed to categorize hazardous waste sites and prioritize cleanup responses. NOAA plays an important role as a federal trustee for coastal and marine natural resources when damages occur to federal natural resources from the release of a hazardous substance.

Oil Pollution Act of 1990 (OPA)33 U.S.C. §§ 2701 *et seq.*

The OPA creates a comprehensive prevention, response, liability, and compensation regime for dealing with oil pollution from vessels and shore facilities. NOAA is a federal trustee for natural resources damaged by spills covered by the OPA and is charged with the responsibility to develop the natural resource damage assessment regulations used when oil is improperly released into the navigable waters of the United States.

Marine Protection, Research and Sanctuaries Act

(Pub. L. 104-283)

Title I: Title I of the Act provides for the regulation of dumping and transportation for dumping of material, including sewage sludge, into ocean waters. EPA shares responsibility for administration with the Army Corps of Engineers, which regulates dumping of dredged material; the Coast Guard, which has responsibility for surveillance of dumpers; and NOAA, which is responsible for monitoring the environment at and around dumpsites.

Title II: Title II provides for a comprehensive monitoring and research program on the effects of ocean dumping and a continuing research program on the possible long-term effects of pollution, overfishing, and other activities on the ocean ecosystem. The programs are undertaken by NOAA in coordination with EPA and the Coast Guard.

Title III: See National Marine Sanctuaries Act

National Invasive Species Act of 1996

(Pub. L. 104-332)

Amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to mandate regulations to prevent the introduction and spread of aquatic nuisance species into the Great Lakes through ballast water. The Secretary of Transportation is directed to consult with the Under Secretary of Commerce for Oceans and Atmosphere, on ballast issues. Regional research grants may be made available by the Under Secretary of Commerce to fund research on aquatic nuisance species prevention and control. The Secretary of the Interior and the Secretary of Commerce, with the concurrence of and in cooperation with the Secretary of Transportation, are instructed to undertake a demonstration of technologies and practices which may prevent introduction and spread of nonindigenous species through ballast discharge.

Nonindigenous Aquatic Nuisance Prevention and Control Act16 U.S.C. § 4701 *et seq.*

The Secretary of the Department that houses the Coast Guard is directed by this Act to issue regulations to prevent the introduction and spread of aquatic nuisance species into the Great Lakes through ballast water. These regulations are to be issued in consultation with the Aquatic Nuisance Task Force, on which the Under Secretary of Commerce for Oceans and Atmosphere serves as a member and co-chairperson.

Outer Continental Shelf Lands Act, as amended (OCSLA)43 U.S.C. § 1331 *et seq.*, § 1801 *et seq.*

The Secretary of Commerce had responsibility for disbursing payments for oil spill cleanup and fisherman reimbursement payments from trust funds set up in the Act. The Offshore Oil Pollution Compensation Fund was enveloped by the Oil Spill Liability Trust Fund established under the Oil Pollution Act of 1990. NOAA is authorized to conduct, or enter into contracts or grants to conduct, environmental assessments and monitoring activities as agreed with the DOI.

Seabed Hard Minerals Resources Act30 U.S.C. § 1401 *et seq.*

Requires NOAA to establish and administer a program for licensing U.S. mining activities for exploration and commercial recovery of hard mineral resources of the deep seabed.

RMS Titanic Maritime Memorial Act of 198616 U.S.C. § 450rr, *et seq.*

This Act directs the Secretary of State to enter into negotiations with the United Kingdom, France, Canada and other interested nations to designate the wreck of the R.M.S. Titanic as an international maritime memorial, and to protect the scientific, cultural and historical significance of the Titanic.

Directs the NOAA Administrator (in consultation with the Secretary of State) to negotiate with interested nations to develop international guidelines for research on, exploration of, and if appropriate, salvage of the wreck.

Ocean Thermal Energy Conversion Act of 198042 U.S.C. § 9101 *et seq.*

The Act regulates the construction, location, ownership, and operation of ocean thermal energy conversion (OTEC) plantships. NOAA issues, transfers, amends, and renews the licenses for the ownership, construction, and operation of OTEC plantships or facilities. NOAA is directed to research and monitor the short-term and long-term environmental effects of OTEC plantships and facilities and certain other international activities.

Authorization for Secretary of Commerce and Secretary of the Smithsonian, to study, monitor, and implement control measures, for the purpose of protecting certain coral reef resources.

Coastal Barriers Resources Act

16 U.S.C. §§ 3501-3510

This Act establishes a Coastal Barrier Resource System (CBRS) which includes undeveloped coastal barriers on U.S. coastlines. Requires the Secretary of the Interior to provide recommendations to the Congress for conserving fish, wildlife and other natural resources in those areas. Prohibits development within the CBRS, with certain exceptions for energy resources explorations, extraction or transportation, channel maintenance or improvements, road maintenance, and maintenance of Coast Guard facilities, among others. The Department of the Interior must consult with NOAA before recommending the inclusion of undeveloped coastal barriers in the CBRS.

Emergency Wetlands Resources Act of 1986

16 U.S.C. §§ 3901-3923

Requires the Secretary of the Interior to establish, and periodically review and revise, a national wetlands priority conservation plan that specifies the types of wetlands and interests in wetlands that should be given priority with respect to federal and state acquisition. The Secretary of the Interior is required to consult with the Secretary of Commerce, among others, in establishing the plan. The Act specifies the factors to be considered in establishing the plan, including the contributions of the different kinds of wetlands to wildlife, fisheries and water quality and quantity.

Organotin Anti-Fouling Paint Control Act of 198833 U.S.C. § 2401 *et seq.*

Organotin biocides are added to paints to protect the bottom of boats from encrusting organism buildup. The Act's purpose is to protect the aquatic environment by reducing the quantities of organotin entering the waters of the United States. The EPA is primarily responsible for the administration and enforcement of this statute. The EPA, in consultation with NOAA, is directed to monitor the ecological effects of organotin in estuaries and coastal waters for ten years beginning in 1988.

National Contaminated Sediment Assessment and Management Act

33 U.S.C. § 1271

Section 1271 of the National Contaminated Sediment Assessment and Management Act requires the Environmental Protection Agency, in consultation with NOAA and the Department of the Army, to conduct a comprehensive national survey of data regarding sediment quality and a continuing program to assess such quality.

High-Performance Computing Act of 1991

15 U.S.C. §§ 5501–5528

Section 5524(a)(2) requires NOAA to conduct basic and applied research in weather prediction and ocean sciences, particularly in the development of new forecast models, in computational fluid dynamics, and in incorporating evolving computer architectures and networks into the systems that carry out agency mission.

Not Active at This Time**Control or elimination of jellyfish or sea nettles**

16 U.S.C. §§ 1201-1205. (Not active)

Authorizes the Secretary, working in conjunction with States, to undertake studies and implement control measures to control and eliminate seaweed and related pests. Provides Congressional consent to any interstate compacts related to the control of jellyfish.

Conservation of “Crown of Thorns” starfish

16 U.S.C. §§ 1211-1213 (Not active)

Authorization for Secretary of Commerce and Secretary, to study, monitor, and implement control measures, for the purposes of protecting certain coral reef resources.

National Advisory Committee on Oceans and Atmosphere Act of 197733 U.S.C. § 857-13 *et seq.*

Establishes a National Advisory Committee on Oceans and Atmosphere. Requires the Committee to undertake a continuing review, on a selected basis, of national ocean policy, coastal zone management, and the status of the marine and atmospheric science and service programs of the United States; and to advise the Secretary of Commerce with respect to carrying out NOAA’s programs. Requires the Committee to submit an annual report to the President and the Congress on the status of U.S. marine and atmospheric services.

Authorized**Foreign affairs power**

1 U.S.C. § 112b, 22 U.S.C. § 2656

The President’s power to conduct foreign affairs (Constitution, Article II) may be exercised by executive branch agencies through permission from the Secretary of State (who carries out this function on a day-to-day basis).

Meteorological Services to Support Aviation

49 U.S.C. § 106(m)

Authority to provide goods and services to the FAA with or without reimbursement.

Provision of Data for Navigation of Marine and Air Commerce

33 U.S.C. §§ 883a-e

33 U.S.C. § 883a: Authorizes NOAA to provide charts and other related information, as well as to provide basic data for engineering, scientific, commercial and industrial needs.

Authority for hydrographic, topographic, tide/current, geodetic control, field surveys, and geomagnetic, seismological, gravity, and related geophysical measurements and investigations, and observations for the determination of variation in latitude and longitude

33 U.S.C. § 883b: Authorizes NOAA to conduct the following activities: analysis and prediction of tide/current data; processing and publication of data, information, compilations, and reports; compilation/printing of nautical and aeronautical charts.

33 U.S.C. § 883c: Authorizes NOAA to provide for the orderly collection of geomagnetic data from domestic/foreign sources. Charges NOAA to be the central depository of the U.S.G. for geomagnetic data. Authorization to collect, correlate, and disseminate such data.

33 U.S.C. § 883d: To improve efficiency of NOAA and to increase engineering and scientific knowledge, authorizes Secretary of Commerce to conduct developmental work for improvement of surveying and cartographic methods, instruments, and equipment; and to conduct investigations/research in geophysical sciences (including geodesy, oceanography, seismology, and geomagnetism).

33 U.S.C. § 883e: Authorizes entry into cooperative agreements with, and to receive/expend funds made available by State/Federal agency, as well as any public or private organization or individual for purposes of surveying or mapping activities.

Central, Western, and South Pacific Fisheries Development Act 16 U.S.C. §§ 758e-758e-5
Authorization to implement a program to develop latent fisheries in the western and South Pacific including stock assessment and gear development projects; and to cooperate with the Pacific Fisheries Development Foundation and certain related international activities.

Fish and Wildlife Coordination Act 16 U.S.C. §§ 661-666c
Provides authority for Commerce and DOI to conduct cooperative programs with NMFS and other agencies.

Fish and Wildlife Improvement Act of 1978 16 U.S.C. §§ 7421, 753a.
Authorization for cooperative training and enforcement with state personnel; cooperative research. Secretaries of Interior and Commerce are authorized to use, by agreement, personnel, equipment, and facilities of other Federal agencies or states for enforcement of any Federal or state law concerning fish and wildlife.

The Fish and Wildlife Act of 1956, and associated provisions 16 U.S.C. §§ 742a-753d, 742e-742j, 742k, 744-748, 750-753, 753a-753b, 754, 758-758d, 760a-760g
The Fish and Wildlife Act of 1956 authorizes the National Marine Fisheries Service to conduct investigations and prepare and disseminate information and reports regarding fish and their habitats in order to provide for the proposed development of fish resources.

National Aquaculture Act 16 U.S.C. §§ 2801-2810
Authorities for aquaculture plan/program.

National Fishing Enhancement Act of 1984 (Artificial Reefs) 16 U.S.C. § 1220
Allows states to apply to Secretary of Transportation to use obsolete ships as reefs.

Small Hydroelectric Power Projects Act 16 U.S.C. §§ 2701-2708
In granting licenses, Energy must comply with NEPA, Fish and Wildlife Coordination Act, SEA, and other statutory requirements.

Fish Resource and Experimentation Program 16 U.S.C. §§ 778-778c
Agriculture is charged with establishing one or more centers for the purpose of carrying out experiments in aquaculture. Interior is to work with Agriculture by furnishing assistance and information when requested.

Designation of alternate U.S. commissioners 22 U.S.C. §§ 2672a-2672b
Secretary of State in conjunction with the Secretary of Commerce may name alternate commissioners to international fisheries commissions.

National Fish & Wildlife Foundation Establishment Act (Pub. L. 106-408)

Congress created the Foundation in 1984 to benefit the conservation of fish, wildlife, and plants, and the habitat on which they depend. The Foundation awards funds to projects benefiting conservation education, habitat protection and restoration, and natural resource management. Federal and private funds contributed to the Foundation are awarded as challenge grants to on-the-ground conservation projects. NOAA is one of the federal partners and is authorized expenditures of \$5 million annually through Fiscal Year 2003.

Pacific Northwest Electric Power Planning and Conservation Act 6 U.S.C. § 839, *et seq.*

Requires the PNWEPPC Council to prepare a plan to mitigate and enhance fish and wildlife in the Columbia River and its tributaries. The plan must be submitted to all appropriate agencies for comment.

Interjurisdictional Fisheries Act 16 U.S.C. §§ 4101-4107

Act provides for NOAA to make grants to the states supporting the management of interjurisdictional fisheries. Disaster relief. Development of interstate fishery management plans by the Marine Fisheries Commissions.

General Statutes With Which NOAA Must Comply

Anti-Deficiency Act, 31 U.S.C. § 1341.
Federal Torts Claim Act, 28 U.S.C. § 1346(b) *et seq.*
Joint Project Authority, 15 U.S.C. § 1525.
Economy Act, 31 U.S.C. § 1535.
Suits in Admiralty Act, 46 U.S.C. § 741 *et seq.*
Public Vessels Act, 46 U.S.C. § 781 *et seq.*
NOAA Claims Statute, 33 U.S.C. § 853.
Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*
Freedom of Information Act, 5 U.S.C. § 552.
Military Personnel and Civilian Employees Claims Act of 1964, 31 U.S.C. § 240 *et seq.*
Civil Rights Act of 1964, 42 U.S.C. § 2000e-16.
Fair Labor Standards Act of 1938.
Age Discrimination in Employment Act, 29 U.S.C. § 633a.
Rehabilitation Act, 29 U.S.C. § 701 *et seq.*
Whistleblower Protection Act of 1989, 5 U.S.C. § 2302.
Competition in Contracting Act, 41 U.S.C. § 251 *et seq.*
Contract Disputes Act, 41 U.S.C. § 601 *et seq.*
Brooks Act, 40 U.S.C. § 759(f).
GAO Bid Protest.
Regulatory Flexibility Act, 5 U.S.C. § 601 *et seq.*
Administrative Procedure Act, 5 U.S.C. § 551 *et seq.*
Federal Managers' Financial Integrity Act .
Single Audit Act and Audit Resolution Requirements.
OMB Bulletin 91-07: budget Execution Procedures for Closing Accounts.
OMB Bulletin 98-08
Prompt Payment Act.
Debt Collection Act of 1982.
Debt Collection Improvements Act of 1996.
Federal Credit Reform Act.
Cash Management Improvement Act.
Civil Service Retirement Act of 1930.
Federal Employees' Compensation Act.

Federal Employees' Health Benefits Act of 1959.
Federal Employees' Group Life Insurance Act of 1980.
Government Performance and Results Act.
Federal Financial Management Improvement Act of 1996.
Federal Employees' Retirement System Act.
Congressional Review Act, 5 U.S.C. Chapter 8.
Government in the Sunshine Act, 5 U.S.C. § 552b.
Privacy Act, 5 U.S.C. § 552A.
Trade Secrets Act, 18 U.S.C. § 1905.
Federal Advisory Committee Act, 5 U.S.C. Appendix 2.
Federal Records Act, 4 U.S.C. Chapter 31.
National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.*
Federal Register Act, 4 U.S.C. Chapter 15.
Federal Technology Transfer Act (FTTA), 15 U.S.C. § 3710a, as amended.
Migratory Bird Conservation Act, 16 U.S.C. 715 *et seq.*
Archeological Resources Protection Act, 16 U.S.C. 470 *et seq.*
National Historic Preservation Act, as amended 16 U.S.C. §§ 470 *et seq.*
National Estuary Program, in CWA (33 U.S.C. § 1330).
The Bald and Golden Eagle Protection Act, 16 U.S.C. 668 *et seq.*
Occupational Safety and Health Act, 29 U.S.C. § 650 *et seq.*
Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.*
Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136.
Toxic Substances Control Act, 42 U.S.C. § 2601 *et seq.*
Noise Control Act, 42 U.S.C. § 4209 *et seq.*
Emergency Planning and Community Right to Know Act, 42 U.S.C. § 11000 *et seq.*
Clean Air Act, 42 U.S.C. § 7401 *et seq.*
Safe Drinking Water Act, 42 U.S.C. § 330 *et seq.*
Rivers and Harbors Act of 1899, 33 U.S.C. § 401 *et seq.*
Antarctic Science Tourism and Conservation Act of 1996, Pub. L. 104-227, amending the
Antarctic Conservation Act of 1978, 16 U.S.C. § 2401 *et seq.*

Executive Order 12898—Environmental Justice

On February 11, 1994, President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This Executive Order requires each federal agency to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority and low income populations. EPA and the Council on Environmental Quality (CEQ) have emphasized the importance of incorporating environmental justice review in the analyses conducted by federal agencies under NEPA and of developing mitigation measures that avoid disproportionate environmental effects on minority and low-income populations. NOAA must determine that there will be no low income or ethnic minority communities that would be adversely affected by a restoration project.

Executive Order 1514 (34 FR 8693)—Protection and Enhancement of Environmental Quality

Executive Order 11990 (42 FR 26961)—Protection of Wetlands

Case-Zablocki Act

1 U.S.C. § 112b

International agreements require State Department approval and must be reported to Congress under standards and procedures described in 22 C.F.R. Part 181 and the January, 2001 Supplemental Handbook for Routine International Science and Technology Agreements (including intellectual property annexes and guidelines).

There are dozens of code sections dealing with the requirements for a uniformed service, or NOAA Corps, regarding compensation, training, quarters, promotion, and the like.

NOAA ships are subject to certain statutes relating to manning, equipment, safety and environmental protection requirements. The statutes include:

Act to Prevent Pollution from Ships	33 U.S.C. § 1901
Operational discharges of oil, noxious liquid substances and garbage from ships	

Organotin Anti-Fouling Paint Control Act of 1988	33 U.S.C. § 2410
Restricts the use of certain anti-fouling paints on vessel bottoms	

Marine sanitation devices	33 U.S.C. § 1322
U.S. Public Vessel Medical Waste Anti-Dumping Act of 1988	

Executive Order 12114 (Jan. 4, 1979)

Environmental Effects Abroad of Major Federal Actions. This Order requires environmental reviews of federal actions that have significant environmental impacts outside of U.S. territories.

Executive Order 13158 (May 26, 2000)

Marine Protected Areas. Establishes a national system to protect marine areas.

Executive Order XXXXX (Feb. 3, 1999)

Invasive Species. Directs Federal agencies to act to eliminate introduction of invasive species and establishes the invasive species council co-chairs by the Secretaries of Commerce and Interior.

Information Collection Act

44 U.S.C. § 3501 *et seq.*

Executive Order 12866

Executive Order 12778

Executive Order 12291

Executive Order 12630

